

MARCUS JERMAINE SCOTT,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

¹ According to the Certificate of Service attached to the Motion to Dismiss, the United States mailed a copy of the Motion to Scott on March 15, 2019, the same date it filed the Motion in this Court. (Cert. of Service, Doc. No. 6 at 4.) The Motion was mailed to the return address Scott provided on the envelope in which he mailed his habeas Petition. (Not. of Corrected Service ¶ 3, Doc. No. 8; Doc. No. 6 at 4; § 2241 Env., No. 1-1.) On May 6, 2019, Scott's copy of the Motion to Dismiss was returned to the United States' Attorney's Office with a notation on the envelope of "NO MAIL RECEPTACLE. UNABLE TO FORWARD." (Notice of Corrected Service ¶ 2.)

Court that it had, that day, mailed Scott a new copy of the Motion to Dismiss at his correct address. (Doc. No. 8.) In accordance with the principles articulated in Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Court now notifies Petitioner that he has a right to respond to the Government's Motion. Failure to respond may result in dismissal of Petitioner's Motion to Vacate without further notice.

IT IS, THEREFORE, ORDERED that Scott's Motion for Summary Judgment (Doc. No. 7) is **DENIED**.

IT IS FURTHER ORDERED that Scott shall have thirty (30) days from entrance of this Order to respond to the Government's Motion to Dismiss.

Signed: May 14, 2019

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

